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UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

DEC 19 12:50  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

UNITED STATES OF AMERICA )

PLAINTIFF, )

V. )

Case No. 05-CV-11818-RWZ  
USAG No. 2005200350/001

TERRENCE J. JOYCE, )

DEFENDANT, )

MOTION TO DISMISS PURSUANT TO F.R.C.P. RULE 41(b)

Pursuant to F.R.C.P. Rule 41(b), the defendant in this case, Terrence J. Joyce, respectfully requests that the court dismiss this case in its entirety for want of prosecution. In support of this motion, the defendant states the following:

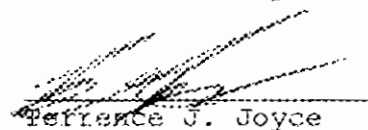
- 1) This case has been pending in the court for approximately a year and four months since it was first docketed. This is more than an adequate amount of time to have brought this case to completion.

- 2) The Plaintiff last docketed a motion around February or March of 2006 and since this time has not diligently prosecuted or advanced this case in good faith.
- 3) Previously, around February of 2006, the court allowed the plaintiff additional time to obtain information from the defendant which was provided by the defendant in a timely manner. There can be no good explanation why the plaintiff should be allowed such an excessive lapse of time since then without prosecution or diligent advancement of this case.

For all of the reasons stated above, the defendant respectfully requests that the court dismiss this case in its entirety.

Respectfully Submitted,

Terrence J. Joyce



Terrence J. Joyce

Dated: December 16, 2006

CERTIFICATE OF SERVICE

I, Terrence J. Joyce, hereby certify that a copy of the foregoing document has been served, pro se, via certified United States mail, postage prepaid on the 16 day of December, 2006 upon the following parties:

United States of America  
1 Courthouse Way, Suite 9200  
Boston, Mass. 02210